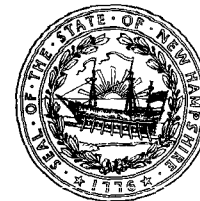




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

Mr. Ted Sutton
River Valley Club
33 Morgan Dr
Lebanon, New Hampshire 03766

LETTER OF DEFICIENCY
WMB PBP 06-017
October 2, 2006

Dear Mr. Sutton:

The Department of Environmental Services, Water Division ("DES") is required by RSA 485-A:26 to operate a program to ensure the health and safety of the public when using public bathing facilities such as pools and spas. To implement this program, DES has adopted administrative rules Env-Wq 1100 to specify the design, operation, and maintenance requirements for public bathing facilities. DES reviews applications for new public bathing facilities and also inspects and tests the water in existing public bathing facilities to ensure that applicable requirements are being met.

On September 26, 2006, DES inspected the following public bathing facilities at The River Valley Club in Lebanon, NH: (a) the indoor lap pool, ("Lap Pool"); (b) the indoor recreation pool ("Rec" Pool"); (c) the co-ed spa ("Co-ed Spa"); (d) the Men's spa ("Men's Spa"); and (e) the women's spa ("Women's Spa").

During this inspection, the following deficiencies were noted:

1. A recommendation to close the Men's Spa was issued on September 26, 2006. The inspection on September 26, 2006 revealed that the Men's Spa was in violation of Env-Wq 1105.10 and unsafe for public use. The following bacterial violations were observed in the Men's Spa water:
 - a. Pursuant to Env-Wq 1105.10(a)(2) the maximum allowable concentration of non-coliform bacteria in public bathing facility water is two hundred counts per one hundred milliliters (200 CTS/100mL). The Pool water contained greater than 200 CTS/100mL.
2. Env-Wq 1105.10(b)(7) requires a free residual chlorine concentration between 2.0 mg/L and 10.0 mg/L in public spa water. The chlorine concentration of the Men's Spa water was approximately 0.28 mg/L on September 26, 2006. A recommendation to close and drain the Spa was issued on September 26, 2006. The Men's Spa was drained at the time of inspection.
3. Env-Wq 1105.10(b)(8) requires a combined chlorine concentration of less than 0.5 mg/L in a public bathing facility. The combined chlorine concentration in each bathing facilities tested was above 0.5 mg/L on September 26, 2006.
4. Env-Wq 1105.10(b)(1) requires a pH between 7.0 and 7.8 in public pool water. The pH of the Co-ed Spa and Women's Spa water were both 8.3 on September 26, 2006.
5. Env-Wq 1106.04(a)(2) requires filtration systems to include a flow meter. The filtration system for all of the bathing facilities inspected did not include a working flow meter.
6. Pursuant to Env-Wq 1104.05, public swimming pools shall not be operated if an outlet grate is missing, broken or secured in such a way that it can be removed without the use of tools. One of the main drain covers for the Co-ed Spa was missing a screw.

Env-Wq 1107.03(d)(4), requires that the circulation system on all spa's be plumbed such that each suction outlet shall be protected by a safety vacuum release system that complies with ASME/ANSI A112.19.17, published 2002. The Spa does not have a safety vacuum release system installed.

Please note that a safety vacuum release system will be required by 2010.


The installation of the safety vacuum release system will minimize the possibility of injury or drowning accidents due to suction entrapment.

DES believes the cited deficiencies can be corrected within 30 days and requests that you submit a report within 45 days of receipt of this letter that describes the corrective measures taken. The report should include the following:

1. A copy of two weeks of water quality test results for all facilities (please do not send originals).
2. A timetable of when:
 - a. the flow meters will repaired or replaced.

DES personnel will conduct another inspection at a later date to determine whether you have come into, and are maintaining, full compliance with RSA 485-A:26 and Env-Wq 1101-1105. After a violation of Env-Wq 1105.10(a)-(d), the facility will be required to pass two inspections in the following months. In the event that compliance is not achieved, DES may take further action, including seeking an administrative fine up to \$2,000 for each offense or referring the case to the NH Attorney General's Office for judicial action.

We appreciate your cooperation in this matter. Please contact Tim Wilson at (603) 271-7108 if you have any questions regarding this letter. Copies of Env-Wq 1101-1110 are available through the DES Public Information Center at (603) 271-2975 or via the Internet at <http://www.des.nh.gov/Pools/>

Sincerely,

Jody Connor
Limnology Center Director

Certified Mail # 7000 1670 0000 0587 7248

Enclosures

cc: Gretchen R. Hamel, Legal Unit Administrator, DES ✓
Tim Wilson, Public Bathing Facility Coordinator, DES
Calvin Hunnewell, Health Officer, Town of Lebanon